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State Budget Enactment. Initiative Constitutional Amendment.

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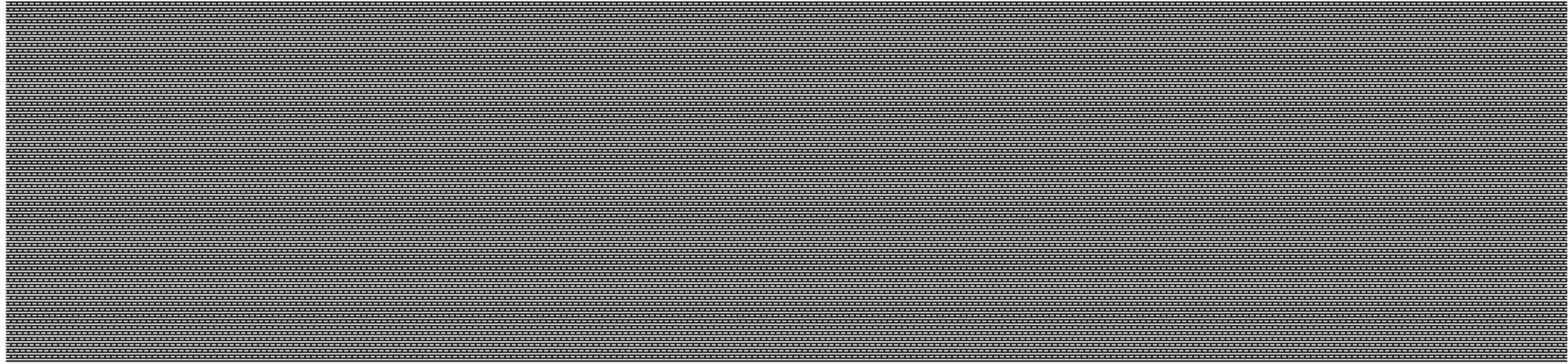
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SOS:

TITLE: STATE BUDGET ENACTMENT.
INITIATIVE CONSTITUTIONAL AMENDMENT.



PROPONENT: Jack C. Livingood
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817 Villa Teresa Way
San Jose, CA 95123
(408) 629-7615



FDATE: [REDACTED] August 23, 1993
AG: [REDACTED] SA93RF0007

[REDACTED]

SUMMARY:

STATE BUDGET ENACTMENT. INITIATIVE CONSTITUTIONAL AMENDMENT. Requires Governor submit "zero based" "balanced budget", as defined, to Legislature for fiscal year. Limits budget act spending, reserves, to total revenues, other resources, projected by Finance Commission as available for expenditure in fiscal year. Requires fiscal year budget bill enactment by midnight, June 30, preceding fiscal year. Provides Governor, Members of Legislature, forfeit two days' salary, benefits, living expenses for each day budget bill not timely enacted; prohibits retroactive payment. Provides Governor, Members of Legislature, not eligible for re-election at next general, special election if "zero based" "balanced budget" not enacted as required. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: In any year budget not enacted by June 30, possible state General Fund savings from \$100,000 to several million dollars due to salary/expense forfeiture, possible county costs ranging from \$10 to \$20 million, potentially as high as \$40 million, for special elections, if required to replace disqualified candidates for legislature, governor. Would impose minor to several million dollars annual administrative costs on state agencies to implement zero-based budgeting.

TEXT:

Section 1. The people of the State of California, in order to protect the State and themselves from future monetary loss and embarrassment, demand that the Members of the Legislature and the Governor enact a Zero Based Balanced Budget, in a timely manner that is no later than the date prescribed by this measure.

SEC. 2. Section 12 of Article IV of the California Constitution is amended to read:

SEC. 12. (a) Within the first 10 days of each calendar year, the Governor shall submit to the Legislature, with an explanatory message, a zero based balanced budget for the ensuing fiscal year containing itemized statements for recommended state expenditures and estimated state revenues. If recommended expenditures exceed estimated revenues, the Governor shall recommend the sources from which the additional revenues shall be provided.

A "Balanced Budget" shall be defined as restricting the Legislatures and the Governor from spending, by appropriations or any other means, more than total revenues, plus reserves, received each year.

A Zero Based Budget does not use last years period's operating data as a starting point. Instead each operating unit (e.g. department, agency, commission, anyone who request money), is given an initial budget allocation of \$ 0 and is told to start from scratch. To obtain operating monies the department, agency, manager, official, or person must prepare a request for desired funds for the upcoming year. That request is their budget.

(b) The Governor and the Governor-elect may require a state agency, officer, or employee to furnish whatever information is deemed necessary to prepare the zero based balanced budget.

(c) (1) The zero based budget shall be accompanied by a budget bill itemizing recommended expenditures. The bill shall be introduced immediately in each house by the persons chairing the committees that consider appropriations. The Legislature shall pass the budget bill by midnight on June 15 of each year.

Until the budget bill has been enacted, the Legislature shall not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the budget bill is to be enacted, except emergency bills recommended by the Governor or, subject to Section 2 of this measure, appropriations for the salaries and expenses of the Legislature.

(2) The balanced budget bill for each fiscal year shall be enacted by midnight on June 30 of the preceding fiscal year. Notwithstanding Section 4 and 8 of Article III and Section 4 of this Article, if a budget bill is not enacted for any fiscal year by midnight on June 30, the Governor and Members of the Legislature shall forfeit two days salary, benefits, and living expenses, to which they otherwise would be entitled, for every day past June 30 that the budget is not enacted. No money shall be paid retroactively to the Governor or any Member of the Legislature for salary, benefits, or living expenses forfeited pursuant to this paragraph.

(3) The total of all expenditures that are authorized to be made for any fiscal year under the budget bill enacted pursuant to this section, combined with the total of any all reserves that are authorized to be established by the State for that fiscal year, may not exceed the total, as projected by the Commission on State Finance or its successor, of all revenues and other resources, including reserves for prior years, that are available for expenditure by the State for that fiscal year.

(4) If a budget bill for any fiscal year has not been enacted, in compliance with paragraph (3), by the deadline of midnight on June 30 of the preceding fiscal year as required by paragraph (2), at the next ensuing general election neither the Governor nor any Member of the Legislature shall be eligible for reelection, to the office that he or she holds as of that deadlind.

(d) No bill except the budget bill may contain more than one item of appropriation, and that for one certain expressed purpose. Appropriations from the General Fund of the State, except appropriations for the public schools, are void unless passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring.

(e) The Legislature may control the submission, approval, and enforcement of budgets and the filling of claims for all state agencies.

SEC. 3. If any provision of this measure or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the measure that can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

